GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Prohibition and Excise Department – Trap case registered against Sri R.Jagadeswara Reddy, Prohibition & Excise Inspector, Penukonda, Ananathapur District – Convicted by the Additional Special Judge for SPE & ACB cases, Hyderabad in C.C.No.9/2003 – Dismissal from service – Conviction set-aside by the Hon'ble High Court - Reinstated into service – Regularization of suspension and dismissal period as on duty - Orders – Issued.

REVENUE(VIGILANCE-IV) DEPARTMENT

G.O.Rt.No.762 Dated: 17-08-2023
Read the following:

1. From the DG, ACB, Hyderabad, Letter.Rc.No.90/RCT-ATP/2002-S14, Dated:19.11.2007.
2. The Dy.Commr., P&E Procgs.Rc.No.A1/641/2001, dated 18.05.2002.
3. The Dy.Commr., P&E Procgs.Rc.No.A1/641/2001, dated 17.01.2005.
4. Judgment dated:15.11.2007 in CC No.9/2003 of Additional Special Judge for SPE& ACB Cases, Hyderabad
5. G.O.Ms.No.939, Revenue (Vig.V) Department, Dated: 02.09.2009.
6. Orders dated:31.12.2020 of the Hon'ble High Court in Criminal Appeal No.1581 of 2007 filed by Sri R.Jagadeswara Reddy, P&E Inspector (Under dismissal).
7. Representation dated:17.02.2021 of Sri R.Jagadeswara Reddy, Prohibition & Excise Inspector, Penukonda, Anantapur District
8. From the DG, ACB Letter.Rc.No.90/RCT-ATP/2002, dated: 22.06.2021
9. G.O.Ms.No.4, Revenue (Vig.III) Department, dated:05.01.2022.
10. Representation dated:27.06.2022 & 01.07.2022 & 07.09.2022 of Sri R.Jagadeeswara Reddy, Prohibition & Excise Inspector, Penukonda, Ananathapur District.
11. Letter.Cr.No.26/2002/CPE-SR-I, Dated:14.07.2022 received from the Commissioner of Prohibition & Excise Department, AP, Vijayawada.

ORDER:

In the reference 1st read above, the ACB authorities registered a trap case against Sri R.Jagadeswar Reddy, Excise Inspector, Penugonda, Ananathapur district on 27.04.2002, when he demanded and accepted the bribe for not booking case against M/s Yeswanth Wines, Somandepalli. Based on the final report of DG, ACB, Government issued sanction orders for prosecution of the AO in a Court of Law.

2. The Hon'ble Additional Special Judge for SPE & ACB Cases, Hyderabad in its order 4th read above, convicted the AO Sri R.Jagadeswara Reddy, P&E Inspector.

3. Consequent on his conviction, the Government dismissed the Accused Officer from Government Service vide its orders 5th read above. The said orders were served him on 29.09.2009.

4. On the above dismissal orders, the individual filed Criminal Appeal No.1581 of 2007 in the Hon'ble High Court.

5. The Hon'ble High Court, in its judgment dated 31.12.2020 in Criminal Appeal No.1581 of 2007, set aside the conviction and sentence imposed on the appellant by the Additional Special Judge for SPE & ACB Cases, Hyderabad in CC.No.9/2003 and he is acquitted from the charges leveled against him. The individual has therefore requested the Government to reinstate him into service.

6. Government, after careful examination of the matter, reinstated Sri R.Jagadeeswara Reddy, P&E Inspector (under dismissal), into Government Service vide reference 9th read above.

(P.T.O)

7. In the reference 10th read above, Sri R.Jagadeswar Reddy, P&E Inspector has stated that as per the reinstatement orders, he was posted as Proh. & Excise Inspector/ working as ROMO at APSBCL Depot, Ananthapur, Kurnool Division and joined duties as 22.01.2022 FN and he has requested to treat his suspension period from 27.05.2002 to 18.01.2005 as well as dismissal period from 30.09.2009 to 21.01.2022 as duty under Rule 54A(3) and release all consequential benefits.

8. In the reference 11th read above, the Commissioner of Proh.& Excise Department, has requested the Government to take necessary action on the proposal of Sri R.Jagadeswar Reddy, P&E Inspector, for regularization of suspension period from 27.05.2002 to 18.01.2005 and dismissal period from 30.09.2009 to 21.01.2022 of the individual.

9. Government after examining the matter, have decided to regularize the suspension period from 27.05.2002 to 18.01.2005 and dismissal period from 30.09.2009 to 21.01.2022 of Sri R.Jagadeswar Reddy, P&E Inspector, as 'on duty' with payment of wages accrued to the individual under FR 54-A (3), as he was acquitted from criminal charge and fully exonerated by the Hon'ble High Court on merits.

10. Accordingly, Government hereby regularize the suspension period from 27.05.2002 to 18.01.2005 and dismissal period from 30.09.2009 to 21.01.2022 of Sri R.Jagadeswara Reddy, P&E Inspector, working as ROMO, APSBCL Depot, Ananathapur (the then P&E Inspector, Pendukonda) as 'ON DUTY' with payment of wages accrued to the individual, under FR 54-A (3).

11. The Commissioner of Prohibition and Excise, Andhra Pradesh, Vijayawada shall take further necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr. RAJAT BHARGAV
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
Sri R.Jagadeswar Reddy, P&E Inspector, APSBCL Depot, Ananathapur, Kurnool Division (through the Commissioner of P&E, AP, Vijayawada)
The Commissioner of Prohibition & Excise, Andhra Pradesh, Vijayawada.
Copy to:
The MD, APBCL, A.P., Vijayawada.
The Dy.Commr., of P&E Dept., Kurnool.
The Accountant General, AP., Vijayawada.
The Director of Treasuries & Accounts, AP, Vijayawada.
Sf/Sc.

// FORWARDED::BY ORDER//

SECTION OFFICER